

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
3:15-MC-103**

**IN RE: EXEMPTION OF NORTH
CAROLINA PRISONER LEGAL
SERVICES, INC. ("NCPLS")
FROM THE ELECTRONIC
PUBLIC ACCESS FEES**

**FILED
CHARLOTTE, NC**

NOV - 1 2019

**U.S. District Court
Western District of N.C.**

ORDER

This Court frequently appoints North Carolina Prisoner legal Services, Inc. {"NCPLS"} to assist North Carolina state prisoners with conducting discovery in their civil rights cases. NCPLS is a non-profit legal services firm providing pro bono legal assistance to inmates who are in the custody of the North Carolina Department of Public Safety, Division of Adult Corrections with their constitutional right of meaningful access to the courts. Thus, the court finds that NCPLS falls within the class of users listed in the fee schedule as being eligible for a fee exemption. Additionally, the Court finds that an exemption is necessary in order to avoid unreasonable burdens and to promote public access to information.

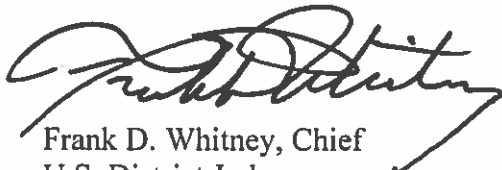
Accordingly, NCPLS shall be exempt from payment of fees for access via PACER to the electronic case files maintained in this court, to the extent such use incurred in the course of the performance of its duties pursuant to any order of appointment in a prisoner civil rights case. NCPLS shall not be exempt from the payment of fees incurred in connection with other uses of the PACER system in this court. The following limitations also apply:

1. This fee exemption applies only to NCPLS and is valid only for the purposes stated above;
2. This fee exemption applies only to the electronic files of this court that are available through the PACER system;

3. By accepting this exemption NCPLS agrees not to sell for profit any data obtained as a result of receiving this exemption;
4. NCPLS is prohibited from transferring any data obtained as a result of receiving this exemption including redistribution via internet-based databases;
5. NCPLS must provide the PACER Service Center with a list of user accounts that should be exempted each year, and must notify the PACER Service Center if an account should no longer be exempt;
6. This exemption is valid for a period of three years, until November 1, 2022. NCPLS may apply for a renewal of this exemption.

This exemption may be revoked at the discretion of the Court at any time. Pursuant to Judicial Conference policy, the clerk shall review the usage of the account(s) as part of the court financial audit process. The clerk is DIRECTED to email a PDF copy of this order to NCPLS at the email inbox it maintains for the court's use, and to the PACER Service Center at pacer@psc.uscourts.gov.

Approved, this 1st day of November, 2019.



Frank D. Whitney, Chief
U.S. District Judge